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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 KHAM SING KETMANY,

No. CIV S-05-0837-WBS-CMK

12 Plaintiff,

13 vs.

ORDER

14 JO ANNE B. BARNHART,
15 Commissioner of Social Security,

16 Defendant.
17 _____/

18 Plaintiff, who is proceeding with retained counsel, brings this action for judicial
19 review of a final decision of the Commissioner of Social Security pursuant to 42 U.S.C. §
20 405(g). Pending before the court is plaintiff's stipulated motion for an extension of time (Doc.
21 16), filed on December 5, 2005.


22 On June 21, 2005, the court issued a scheduling order which required plaintiff to
23 prosecute this action by either seeking voluntary remand or filing a dispositive motion within 45
24 days from the date of service of the administrative record by defendant. The court's records
25 reflect that the administrative record was served on October 20, 2005. Plaintiff now seeks an
26 extension of time to January 4, 2006, to file a dispositive motion. Defendant does not oppose the

1 request. Good cause appearing therefor, the request will be granted. Plaintiff is warned that
2 failure to comply with the court's scheduling order within the time provided in this order may
3 result in dismissal of this action for lack of prosecution and failure to comply with court orders
4 and rules. See Local Rule 11-110.

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. Plaintiff's motion for an extension of time is granted; and
- 7 2. Plaintiff shall file a dispositive motion by January 4, 2006.

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9 DATED: December 8, 2005.

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12 **CRAIG M. KELLISON**
13 UNITED STATES MAGISTRATE JUDGE
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